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Agenda item 20

IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

Albania*, Argentina*, Australia, Austria, Belgium*, Bulgaria, Canada, Chile, Costa Rica, Croatia*, Czech Republic*, Denmark*, Finland, Germany, Hungary, Ireland*, Italy, Latvia*, Liechtenstein*, Netherlands, New Zealand*, Norway*, Poland, Portugal*, Romania, Russian Federation, Sweden*, Switzerland* United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela: draft resolution

The Commission on Human Rights,

Recalling that all States have pledged themselves to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that these rights derive from the inherent dignity of the human person,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter of the United Nations,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling General Assembly resolution 36/55 of 25 November 1981, by which the Assembly proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Taking note of General Assembly resolution 48/128 of 20 December 1993, in which the Assembly requested the Commission on Human Rights to continue its consideration of measures to implement the Declaration,

Recalling the Declaration and Programme of Action, adopted by the World Conference on Human Rights in which the World Conference invited all States to put into practice the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recognizing that it is desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and that both Governments and non-governmental organizations have an important role to play in this domain.

Emphasizing that non-governmental organizations and religious bodies and groups at every level have an important role to play in the promotion of tolerance and the protection of freedom of religion or belief,

Conscious of the importance of education in ensuring tolerance with respect to religion or belief,

Alarmed that serious incidents of intolerance and discrimination on the grounds of religion or belief, including acts of violence, occur in many parts of the world, as evidenced in the report of the Special Rapporteur, Mr. Abdelfattah Amor (E/CN.4/1994/79),

Reaffirming the dismay and condemnation expressed by the World Conference on Human Rights at the continued occurrence of gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of all human rights, including religious intolerance,

Conscious that incidents of discrimination and intolerance carried out by persons or groups of persons on the grounds of religion or belief continue to occur in many parts of the world,

Noting with concern that, in many parts of the world, acts of violence motivated by religious extremism in all its forms threaten the enjoyment of human rights and fundamental freedoms,

Believing that further efforts are, therefore, required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief,

1. Reaffirms that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. Expresses its thanks to the Special Rapporteur and takes note of his report and the various views expressed thereon during the fiftieth session of the Commission;

3. Notes with concern the continuing instances of hatred, intolerance and acts of violence, based upon intolerance of religion and belief and upon religious extremism, as identified by the Special Rapporteur, which threaten human rights and fundamental freedoms;

4. Condemns all such acts, including those motivated by religious extremism in all its forms, as well as practices of discrimination against women;

5. Urges States to ensure that their constitutional and legal systems provide adequate guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies where there is intolerance or discrimination based on religion or belief;

6. Recognizes that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief;

7. Urges all States, therefore, to take all appropriate measures to combat hatred, intolerance and acts of violence, including those motivated by religious extremism, and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief;

8. Also urges States to ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

9. Calls upon all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for these purposes;

10. Also calls upon all States in accordance with their national legislation to exert their utmost efforts to ensure that religious places, buildings and shrines are fully respected and protected;

11. Recognizes that the exercise of tolerance and non-discrimination by persons and groups of persons is necessary for the full realization of the aims of the Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief;

12. Reiterates its invitation to the Secretary-General to continue to give priority to the dissemination of the text of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief in all the official languages of the United Nations and to take all appropriate measures to make the text available for use by United Nations information centres, as well as by other interested bodies;

13. Encourages the Special Rapporteur to continue to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend appropriate remedial measures, including the provision of advisory services by the Centre for Human Rights;

14. Also encourages the Special Rapporteur to examine the contribution that education can make to the more effective promotion of religious tolerance;

15. Encourages Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

16. Recommends that the promotion and protection of the right to freedom of thought, conscience and religion be given appropriate priority in the work of the United Nations programme of advisory services in the field of human rights;

17. Welcomes General Comment No. 22 (48) adopted by the Human Rights Committee on 20 July 1993 on article 18 of the International Covenant on Civil and Political Rights, dealing with freedom of thought, conscience and religion;

18. Endorses the view of the Human Rights Committee that the right to freedom of thought, conscience and religion is far-reaching and profound;

19. Emphasizes that, as underlined by the Committee, restrictions on the freedom to manifest religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

20. Also welcomes the efforts of non-governmental organizations to promote the implementation of the Declaration and invites them to consider what further contributions they could make to its implementation and its dissemination;

21. Calls upon all States to consider disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in national and local languages;

22. Requests the Secretary-General to provide all necessary assistance and resources to the Special Rapporteur to enable him to carry out his mandate and to report to the Commission at its fifty-first session;

23. Also requests the Secretary-General to report to the Commission at its fifty-first session on measures taken to implement the present resolution;

24. Decides to continue its consideration of the question at its fifty-first session under the agenda item "Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief".